



*Ready to Protect,
Proud to Serve*

Information about your Impounded Vehicle

Revised November 1, 2005

Tucson Police Department

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If your vehicle was impounded by an officer of the Tucson Police Department please carefully read the information the officer gave you at the time of the impound for instructions. This page provides some additional information to frequently asked questions on this topic.

IMPORTANT NOTE

(1) If your vehicle was impounded by another law enforcement agency, such as the Pima County Sheriff's Department or the Department of Public Safety, you must contact that agency directly for assistance in obtaining the release of your vehicle. (2) If your vehicle was impounded as evidence of a crime these procedures do not apply to you. Please contact the TPD Detective Unit handling your case for additional information.

Highlights of the Vehicle Impound Procedure You Need to Know...

- In most cases you must wait 30-days before you can get your vehicle back.
- The minimum cost for a 30-day impound of your vehicle is \$413.50 which must be paid **before** your vehicle can be released.
- You can **only** arrange to have your vehicle released by contacting the Tucson Police Department – the towing company **cannot** release the vehicle to you without permission from the Police Department.
- In some limited cases you may be able to get your vehicle back before the end of the 30-days, **but** you will still have to pay all fees and charges.

The following pages provide specific information on these and other questions...

General Impound Information

▪ Why was my vehicle impounded?

Arizona law requires law enforcement agencies to impound ("tow") a motor vehicle when the driver is in violation of one of the following provisions:

- The driver is in an accident, AND is in violation of Arizona's insurance law, AND has a suspended, revoked or cancelled driver license for any reason or is unlicensed in any state.
- The driver has never been issued a driver license or permit in Arizona and is not licensed in any other jurisdiction.
- The driver's operating privilege is revoked for any reason.
- The driver's operating privilege is suspended because of a prior DUI conviction.
- The driver's operating privilege is suspended for having previously driven on a suspended license.
- The driver's operating privilege is suspended for having had too many moving violations.
- The driver is arrested for either Extreme DUI or Aggravated DUI.
- The driver is under legal drinking age of 21 and has any alcohol in their body.

▪ How long will be vehicle be impounded for?

The law requires that vehicles impounded under this law be stored for a period of thirty (30) days before being released. In some cases you may be eligible to have the vehicle released sooner, such as if you get your license status reinstated by the Motor Vehicle Division or the courts.

▪ What if someone other than the owner was driving the vehicle when it was impounded?

The owner of the vehicle is responsible for paying all fees and charges in order to have the vehicle released. If someone else was driving, you may have to seek civil action against the driver for any expenses you incur as a result of the impound.

▪ What if I own the vehicle but have not yet transferred the title into my name? Can I still get the car back?

You must first completely meet all legal title and registration requirements before the vehicle can be returned to you. This can be done through the Arizona Motor Vehicle Department. If the vehicle is registered out of state you must either register the vehicle in Arizona or deal with the state in which it is currently registered.

▪ What will happen if I cannot claim my vehicle?

Under Arizona law the towing company may file for an abandoned title and seek ownership of the vehicle if it is left at the tow yard unclaimed for more than ten (10) days. If you have difficulty in paying for the towing and storage, you should at least contact the towing company if you wish to retain ownership of your vehicle.

▪ If I am found "not guilty" on my criminal or traffic charges will that affect the impound of my vehicle?

No. As long as the officer impounded your vehicle according to the law and our procedures the outcome of any trial is not relevant.

Getting Your Vehicle Back

▪ How do I get my vehicle back?

On or after the 30th day of impound OR if you get your license reinstated earlier, your vehicle will generally be eligible for release to you.

To get it back, follow these steps:

- **Come to either the Main Police Headquarters** in downtown Tucson at 270 South Stone Avenue (24-hours per day) **or** the **Traffic Section Substation** on the eastside of Tucson at 7575 East Speedway, Suite 100 (Monday – Friday, 8am – 5pm).
- **Bring with you a valid driver license and valid vehicle registration.** Please note that you may have to go to court or the Motor Vehicle Division first if your license was suspended, revoked or cancelled, and/or if your vehicle registration was expired or cancelled. **We cannot release your vehicle to you until these documents are valid and current.** **Note** – if your driving privilege cannot be restored by the end of the 30-day impound period (for example, it has been suspended for one year), you may bring a fully licensed driver with you to drive the car upon release. You must still have valid vehicle registration before the vehicle will be released.
- **You must pay an administrative fee of \$150** to the City of Tucson. Payment must be in the form of cash, money order or a cashier's or certified check. Upon payment of the fee you will be given a release form that you must take to the towing company.
- **At the towing company, you must pay the towing and storage fees.** Payment is made directly to the towing company by money order, certified check or credit card. If you come to the tow yard at other than normal business hours, you may be charged a gate fee. **You must also present proof of your identity and ownership to the tow company.**
- If you do not claim your vehicle within ten (10) days of the available release date, the towing company may file for abandoned title to the vehicle.

▪ Who can have the vehicle returned?

Under the law the owner, the owner's spouse, their agent (such as an attorney) or a lien holder are the only persons who can have the vehicle released. If you are the vehicle's owner and your license is still not valid at the end of the 30-day period, you can bring someone with you who has a valid license in order to get your vehicle back.

▪ Who can act as my agent to get my vehicle back?

An agent is someone who is legally entitled to act for you, such as your attorney or someone who has been given your legally approved power of attorney. A friend or relative cannot simply be called your agent without proper legal authorization.

▪ Can I get my vehicle back before the 30-days is up?

Under certain limited circumstances, you may be able to have the vehicle returned to you prior to the 30-day period has passed. In some cases this may require a hearing, which is described later in this page.

Information About Your Impounded Vehicle

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You may be eligible to have the vehicle released early **only if you meet one of the following conditions or circumstances:**

- If the owner presents proof satisfactory that the owner's driving privilege has been reinstated. **(Note – if this applies to you, a hearing is not needed. You should simply bring proof that your license is now valid to one of the locations identified as being able to release vehicles to you.)**
- If the vehicle was reported stolen at the time it was impounded,
- If the vehicle is subject to bailment and was driven by an employee of a business establishment including a parking service or repair garage, who is subject to ARS §28-3511-A or B.
- If ALL OF THE FOLLOWING APPLY – the owner or owner's agent was not the person driving in violation at the time of the impound, AND the owner or the owner's agent is in the business of renting motor vehicles without drivers, AND the vehicle is registered pursuant to ARS §28-2166.

In certain situations, the spouse of the owner may also enter into an agreement with the Police Department that they will not let a driver arrested for Extreme or Aggravated DUI, or a minor in possession of alcohol, to drive the vehicle within one year. If the agreement is violated, there is no relief available from the 30-day impound period the next time.

In addition, we shall release a vehicle to a person, other than the owner, identified on MVD's record as having an interest in the vehicle before the end of the 30-days if **ALL** of the following conditions are met:

- (1) The person is a motor vehicle dealer, bank, credit union or acceptance corporation or any other licensed financial institution legally operating in this state or is another person who is not the owner and who holds a security interest in the vehicle.
- (2) The person pays all towing and storage fees related to the impoundment of the vehicle unless the vehicle is stolen and the theft was reported to the appropriate law enforcement agency. If the vehicle is stolen and the theft was reported to the appropriate law enforcement agency, the operator of the vehicle at the time of impoundment is responsible for all towing, storage and administrative charges.
- (3) The person presents foreclosure documents or an affidavit of repossession of the vehicle.

- **If the owner had a suspended license, can they get it back prior to the 30-day period if their license is restored to a valid status?**

Yes. The owner would have to prove that this had been corrected and their driving privileges reinstated, at which time we will release the vehicle upon payment of administrative fees and towing and storage charges.

- **Will I still have to pay fees and charges if the vehicle is released early to me?**

Yes, the owner is still liable for administrative charges and all towing and storage fees up to the actual date of release.

- **At the end of the 30-days, can I just go to the towing company and get my vehicle?**

No, the towing company is not allowed to release an impounded vehicle without paperwork from the Tucson Police Department. You must follow the claim process outlined above.

How Much Will it Cost?

▪ How much will it cost to have my vehicle released?

Administrative Fee	\$150.00
Towing Charges	\$8.50 + \$1.50/mile of towing
Storage Charges	\$8.50/day for storage until vehicle is claimed For a 30-day impound period this would be \$255.00
Gate Fee	\$25.00 if you require after-hours access at Gary's Towing

The Administrative Fee is paid directly to the City of Tucson prior to the release of your vehicle. The remaining charges are paid directly to the towing company.

NOTE: The towing company **cannot** release your vehicle until you have first obtained release paperwork from the Police Department. Releases are available at two police facilities in Tucson:

Main Police Headquarters, 270 South Stone Avenue (24-hours)
Traffic Substation, 7575 East Speedway, Suite 100 (M-F, 8-5)



Information about Hearings

▪ Can I have a hearing about this impound?

Yes, **but hearings are usually not needed**. Hearings are generally only needed if you are challenging the validity of the impound. If you are now in compliance with the law and are eligible to get your vehicle back **you do not need a hearing** – simply contact the Police Department to make arrangements for the release. Be sure to check the other information on this page about how you may be eligible to have your vehicle released early without a hearing.

If you do want a hearing, you may make a request to the Tucson Police Department by writing us or calling us at the address and/or number on the front page.

▪ Do I need to have a hearing?

No, you do not. Most people who do not meet one of the exemptions will not request or need a hearing. If you get your license reinstated before the end of the 30-day period, you may be eligible to have your vehicle returned to you without a hearing.

- **When must I request a hearing?**

We must receive your request for a hearing not later than ten (10) days from the date of the vehicle impoundment. If your request is received after the ten day time period, we will not grant you a hearing on this matter.

- **How is the hearing conducted?**

The hearings for impounds are conducted by a sworn member of the Tucson Police Department. Hearings are generally held over the telephone.

- **What will I have to prove in a hearing?**

Generally, hearings are only for the purpose of contesting the impound. In order to have your vehicle released prior to the 30 days required by law, you must be able to prove that certain special circumstances exist. See the question above regarding how a vehicle may be released early.

- **Is there a charge to have a hearing?**

No, there is no fee or charge for a hearing.

- **Do I need an attorney for the hearing?**

No, an attorney is not needed. The hearing process is informal and rather brief.